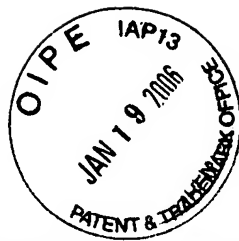


Docket No.: 4006-284



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Wen-Jian LIN

U.S. Patent Application No. 10/810,660

Filed: March 29, 2004

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Confirmation No.1130

Group Art Unit: 2823

Examiner: JARRETT J STARK

For: A STRUCTURE OF A MICRO ELECTRO MECHANICAL SYSTEM AND THE
MANUFACTURING METHOD THEREOF

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

By Official Action mailed December 23, 2005, restriction to one of the following inventions and/or species of the claimed invention is required under 35 U.S.C. 121:

Group I - Claims 38 and 73, drawn to method of manufacturing a semiconductor device.

Group II - Claims 1-37, drawn to a semiconductor device.

In response, Applicants hereby elect Group II, upon which claims 1-37 are readable.

The election is made *with traverse* because the search and examination of the entire application can be made without serious burden. Inventions I and II are related as process of making and product made. In the relevant art, i.e., semiconductor device design and fabrication, references often describe both the semiconductor device's structure and manufacturing method, as will be apparent to the Examiner upon conducting a search for prior art. Therefore, both Inventions I and II can be covered in a single search. Accordingly, Applicants respectfully submit that the search and examination of the entire application can be made without serious burden on the Examiner.

Application No. 10/810,660

In view of the above, withdrawal of the Restriction Requirement and consideration of all claims pending in the instant application are believed appropriate and therefore courteously solicited.

Early examination on the merits is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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